

Farmland Protection

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Background

National Agricultural Land Study of 1980-81 found that millions of acres of farmland were being converted in the United States each year. The 1981 Congressional report, *“Compact Cities: Energy-Saving Strategies for the Eighties”*, identified the need for Congress to implement programs and policies to protect farmland and combat urban sprawl and the waste of energy and resources that accompanies sprawling development.



Background

The Compact Cities report indicated that much of the sprawl was the result of programs funded by the Federal Government. With this in mind, Congress passed the Agriculture and Food Act of 1981 (Public Law 97-98) containing the **Farmland Protection Policy Act (FPPA)** — Subtitle I of Title XV, Section 1539-1549

FPPA was intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses.





Applicable Projects

Only special categories of farmland qualify for FPPA protection

For the purpose of FPPA, **“Important Farmland”** includes:

- ☐ Prime farmland
- ☐ Unique farmland
- ☐ Farmland of statewide or local importance

Farmland subject to FPPA requirements can be cropland, pastureland or forest land – but not water or urbanized land.



Applicability of Projects

It is the responsibility of the RE to decide if important farmland will be converted to non-agricultural uses. If no conversion of farmland to non-agricultural uses will take place, **do not initiate this process.**

Activities **not** subject to FPPA include:

- ☐ Renovation of existing structures
- ☐ Projects on land already in urban development or used for water storage
- ☐ Construction of on-farm structures needed for farm operations
- ☐ Projects where restoration to agricultural use is planned
- ☐ Construction of new minor secondary structures such as a garage or storage shed.
- ☐ Projects on land already zoned non-agricultural
- ☐ Project in area with over 40 structures per square mile



Farmland Evaluation

If your project site is considered “important farmland” protected by FPPA and regulated by NRCS, RE initiates intergovernmental evaluation of the property.

Submission to NRCS includes...

- ☐ Form AD-1006, “*Farmland Conversation Impact Rating*”, with Parts I and III filled out (Project description and # of acres to be converted).
<http://www.tn.nrcs.usda.gov/technical/soils/fppa.html>
- ☐ Maps showing the project area.
 - ☐ USGS 7.5 minute quadrangle topographic maps with the project area that will be converted accurately delineated to scale. Or GIS data exported to ArcGIS shape file format.
 - ☐ Dimensions of the area to be converted.
 - ☐ Quad name, township, range, section – location description
- ☐ Cover letter with as many specifics of the project.
 - ☐ Include dimensions.
 - ☐ Include directions.
 - ☐ List the county or counties where the project is located.

Farmland Evaluation

Form AD-1006 Itemized Breakdown...

☐ Part I

- ☐ Project description
- ☐ Completed by RE

☐ Part II

- ☐ Agricultural acreage & production description
- ☐ Completed by NRCS

☐ Part III

- ☐ Project acreage conversion summary
- ☐ Completed by RE

☐ Part IV

- ☐ Agricultural evaluation
- ☐ Completed by NRCS

☐ Part V

- ☐ Agricultural production numerical scoring
- ☐ Completed by NRCS (up to 100 points)

☐ Parts VI & VII

- ☐ Relative value of farmland numerical scoring
- ☐ Completed by RE (up to 160 points) + NRCS (up to 100 points)



Farmland Evaluation

When NRCS receives RE's submission...

- ☐ NRCS office completes **Parts II, IV, & V** (within **45 calendar days**), scoring the land's agricultural importance (Land Evaluation) and returns evaluation to RE
- ☐ **Parts II, IV, & V:**
 - ☐ Is Prime, Unique, or State/Locally Important Farmland present? Yes or No
 - ☐ # of acres of Important Farmland present
 - ☐ Relative value of the Important Farmland (0-100 points)



Farmland Evaluation

When RE receives the Land Evaluation from NRCS, RE completes Parts VI and VII, then evaluates the final points scoring:

☐ Part VI:

☐ Site Assessment Criteria (0 – 160 points):

- ☐ Perimeter in non-urban use
- ☐ % of site being farmed
- ☐ 10 other items of consideration

☐ Part VII:

☐ Total score = NRCS LE (0 – 100) + RE/HUD SA (0 – 160)
= 0 – 260 points **If over 160, consider other sites**



ERR Documentation

For projects not applicable to FPPA...

- ☐ Document why project isn't applicable
 - ☐ Inapplicable activity (i.e. building rehab)
 - ☐ Inapplicable site (i.e. zoned for urban use)

For projects applicable to FPPA...

- ☐ Site description
- ☐ Direct impacts
- ☐ Indirect impacts
- ☐ Site already committed to urban use?
- ☐ Local planning & zoning
- ☐ LESA Form AD-1006 numerical rating
- ☐ Consideration of alternative site(s)

Example of Documentation

<p>9. 58.35(h) Farmland Protection [7 CFR 658]</p>	<p>X</p>	<p>Lift Stations #33 and #23 are located on Lake Charles clay, rated as prime farmland by NRCS. Lift Station #30 is located on Bernard-Edna complex, rated as prime farmland by NRCS. Because project activities will occur on sites that have been previously converted to non-agricultural use (urban) and are located within the city limits of [REDACTED] the proposed activities are not subject to the FPPA; no impacts to prime farmlands soils will result from the proposed project. See Figure B-8 and the FPPA background information in Attachment B.</p>	<p>United States Department of Agriculture, Natural Resources Conservation Service. <i>Farmland Protection Policy Action.</i> http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/alphabetical/fppa.</p>
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Questions?

Thank You